

It is now late February. Mr. Babitsky still has not been heard from, and the Russian government has yet to provide a credible accounting of his whereabouts.

The actions and statements of the Government of the Russian Federation are deeply troubling, not only because of what they may mean for Mr. Babitsky's well-being, but for what they may portend about the freedom of the press in Russia today. Mr. Babitsky is a journalist, working for an American-supported news organization. His detention by the Russian authorities, and his reported exchange with the Chechens, violates fundamental norms embodied in the Geneva Conventions and applicable protocols. Equally troubling, the detention and mistreatment of a working journalist is a chilling indication that the Government of the Russian Federation is not committed to a fundamental human right: freedom of the press. These are not just the words of one United States Senator. In Russia itself, a leading journalists' union has stated that the Babitsky case is "not an isolated episode, but almost a turning point in the struggle for a press that serves society and not the authorities."

Several weeks ago, the chairman and I wrote to Acting President Putin and urged Mr. Babitsky's release. Several other senators and members of the other body have expressed similar views. Additionally, the Secretary of State has raised this matter with senior Russian officials. In Russia, Europe and the United States, there has been universal condemnation of the Russian Government for its actions in this matter.

Today we have decided to call additional attention to Mr. Babitsky's plight by introducing this sense of the Senate resolution, which criticizes the Government of the Russian Federation for its actions in the Babitsky matter and calls on Moscow to provide a full accounting of his detention.

I hope it will get the attention of the Russian Government. I hope it will help lead to the truth about the whereabouts of Mr. Babitsky. I urge my colleagues to support it.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 261

Whereas Andrei Babitsky, a dedicated and professional journalist for Radio Free Europe/Radio Liberty (RFE/RL) for the last 10 years, reported on the 1994-1996 and the current Russo-Chechen wars;

Whereas on December 27, 1999, the Russian Information Committee (RIC) in Chechnya accused Babitsky of "conspiracy with Chechen rebels" after he broadcast a story that shed unfavorable light on Russian military actions in Chechnya;

Whereas on January 8, 2000, Russian security agents raided Babitsky's apartment in Moscow and confiscated several items and later ordered his wife, Ludmila Babitskaya, to report to a local militia station in Moscow after she attempted to pick up photographs taken by her husband in Chechnya;

Whereas on January 18, 2000, Babitsky was reportedly detained by Russian authorities in Moscow but later reports indicated that he was not formally arrested until January 27, 2000;

Whereas on January 26, 2000, Russian presidential spokesman Sergei Yastrzhembsky said that Babitsky "left Grozny and then disappeared" and declared that Russian security services had no idea as to his whereabouts and that "his security is not guaranteed";

Whereas on January 28, 2000, Russian media officials told RFE/RL that Babitsky would be released with apologies after having been charged with participating in "an illegal armed formation";

Whereas on February 2, 2000, Moscow officials announced that Babitsky would be transferred from Naursky district near Chechnya to Gudermes and then to Moscow where he would then be released on his own recognizance;

Whereas on February 3, 2000, Russian presidential spokesman Sergei Yastrzhembsky said that Russian officials exchanged Babitsky for 3 Russian prisoners of war and on the same day, Vladimir Ustinov, acting Russian prosecutor general, said Babitsky had been released and had gone over to the Chechens on his own accord;

Whereas the Government of the Russian Federation has repeatedly issued contradictory statements on the detention of Andrei Babitsky and provided neither a credible accounting of its detention of Babitsky nor any credible evidence of his well-being;

Whereas United Nations High Commissioner for Human Rights Mary Robinson stated on February 16 that Russian behavior in Chechnya and the detention of Andrei Babitsky appears to violate the Geneva conventions to which Russia is a signatory;

Whereas on February 16, 2000, Russian Human Rights Commissioner Oleg Mironov denounced Moscow's handling of Babitsky as a violation of Russian law and international law and stated that the situation surrounding Babitsky signals "that the same thing may happen to every reporter";

Whereas the Union of Journalists in Russia declared on February 16 that the case of Andrei Babitsky is "not an isolated episode, but almost a turning point in the struggle for a press that serves society and not the authorities" and that "the threat to freedom of speech in Russia has for the first time in the last several years transformed into its open and regular suppression";

Whereas freedom of the press is both a central element of democracy as well as a catalyst for democratic reform;

Whereas the Government of the Russian Federation has repeatedly violated the principles of freedom of the press by subjecting journalists who question or oppose its policies to censorship, intimidation, harassment, incarceration, and violence; by restricting beyond internationally accepted limits their access to information; and by issuing misleading and false information; and

Whereas the Government of the Russian Federation has egregiously restricted the efforts of journalists to report on the indiscriminate brutality of Russia's use of force in Chechnya: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the detention of Andrei Babitsky by the Government of the Russian Federation and the misinformation the Government of the Russian Federation has issued concerning this matter—

(A) constitute reprehensible treatment of a civilian in a conflict zone in violation of the Geneva Conventions and applicable protocols; and

(B) demonstrate the Government of the Russian Federation's intolerance toward a free and open press;

(2) the conduct of the Government of the Russian Federation leaves it responsible for the safety of Andrei Babitsky;

(3) the Government of the Russian Federation should take steps to secure the safe return of RFE/RL reporter Andrei Babitsky to his family;

(4) the Government of the Russian Federation should provide a full accounting of Mr. Babitsky's detention and the charges he may face; and

(5) the Russian authorities should immediately halt their harassment of journalists, foreign and domestic, who cover the war in Chechnya and any other event in the Russian Federation and should fully adhere to the Universal Declaration of Human Rights, which declares in Article 19 that "everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers".

#### PEACEFUL RESOLUTION OF THE CONFLICT IN CHECHNYA

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 262, introduced earlier today by Senator WELLSTONE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 262) entitled "Peaceful Resolution of the Conflict in Chechnya."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 262) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 262

Whereas the people of Chechnya are exercising the legitimate right of self-defense against the indiscriminate use of force by the Government of the Russian Federation;

Whereas the Government of the Russian Federation has used disproportionate force in the bombings of civilian targets in Chechnya which has resulted in the deaths of thousands of innocent civilians and the displacement of well over 250,000 others;

Whereas the Government of the Russian Federation has refused to engage in negotiations with the Chechen resistance toward a just peace and instead has charged Chechen President Aslan Maskhadov with armed mutiny and issued a warrant for his arrest;

Whereas Russian authorities deny access to regions in and around Chechnya by the international community, including officials of the United Nations, Organization for Security and Cooperation in Europe and the Council of Europe, and maintain a virtual ban on access to Chechen civilians by media and international humanitarian organizations, including the International Federation of the Red Cross;

Whereas these restrictions severely limited the ability of these organizations to ascertain the extent of the humanitarian crisis and to provide humanitarian relief;

Whereas even limited testimony and general investigation by international organizations credibly reported widespread looting, summary executions, detentions, denial of safe passage to fleeing civilians, torture and rape committed by Russian soldiers;

Whereas there are credible reports of specific atrocities committed by Russian soldiers in Chechnya, including the rampages in Alkhan-Yurt where 17 persons were killed in December 1999 and in the Staropromyslovsky district of Grozny where 44 persons were killed in December 1999; and the rapes of Chechen prisoners in the Chernokosovo detention camp;

Whereas these credible reports indicate clear violations of international human rights standards and law that must be investigated, and those responsible must be held accountable; and

Whereas United Nations High Commissioner for Human Rights Mary Robinson proposed on February 20, 2000, the prosecution of Russian military commanders for overseeing "executions, tortures, and rapes"; and

Whereas the Senate expresses its concern over the conflict and humanitarian tragedy in Chechnya, and its desire for a peaceful resolution and durable settlement to the conflict: Now, therefore, be it.

*Resolved*, That it is the Sense of the Senate that—

(1) the Government of the Russian Federation—

(A) immediately cease its military operations in Chechnya and initiate negotiations toward a just peace with the leadership of the Chechen Government, including President Aslan Maskhadov;

(B) allow into and around Chechnya international missions to monitor and report on the situation there and to investigate alleged atrocities and war crimes;

(C) allow international humanitarian agencies immediate full and unimpeded access to Chechen civilians, including those in refugee, detention and so called "filtration camps" or any other facility where citizens of Chechnya are detained; and

(D) investigate fully the atrocities committed in Chechnya including those alleged in Alkhan-Yurt, and Grozny, and initiate prosecutions against those officers and soldiers accused.

(2) the President of the United States of America—

(A) should promote peace negotiations between the Government of the Russian Fed-

eration and the leadership of the Chechen Government, including President Aslan Maskhadov, through third party mediation by the OSCE, United Nations or other appropriate parties;

(B) endorse the call of the United Nations High Commissioner for Human Rights for an investigation of alleged war crimes committed by the Russian military in Chechnya; and

(C) should take tangible steps to demonstrate to the Government of the Russian Federation that the United States strongly condemns its brutal conduct in Chechnya and its unwillingness to find a just political solution to the conflict in Chechnya.

#### ORDER FOR STAR PRINT—S. 824

Mr. BROWNBAC. Mr. President, I ask unanimous consent that a star print of S. 824 be made with the changes that are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, FEBRUARY 28, 2000

Mr. BROWNBAC. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 12 noon on Monday, February 28. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period for the transaction of morning business until 2 p.m., with Senators speaking for up to 5 minutes each, with the following exceptions: Senator DURBIN, or his designee, from 12 noon until 1 p.m.; Senator THOMAS, or his designee, from 1 to 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBAC. Following morning business, I ask unanimous consent that the Senate resume consideration of S. 1134 and that the majority leader be immediately recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. BROWNBAC. For the information of all Senators, the Senate will convene at 12 noon on Monday and will be in a period of morning business until 2 p.m. Following morning business, the Senate will resume debate on the education savings accounts legislation. As a reminder, cloture was filed on the bill today with the cloture vote scheduled to occur at 2:30 p.m. on Tuesday, February 29. Pursuant to rule XXII, all first-degree amendments must be filed by 1 p.m. on Monday. For the information of all Senators, the leader has announced there will be no rollcall votes during Monday's session of the Senate.

#### ADJOURNMENT UNTIL MONDAY, FEBRUARY 28, 2000

Mr. BROWNBAC. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Monday, February 28, 2000, at 12 noon.

#### NOMINATIONS

##### Executive Nominations Received by the Senate February 24, 2000:

##### DEPARTMENT OF STATE

PATRICK FRANCIS KENNEDY, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN OFFICE OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR, VICE GEORGE EDWARD MOOSE.

##### NATIONAL SCIENCE FOUNDATION

NINA V. FEDOROFF, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2006, VICE CLAUDIA I. MITCHELL-KERNAN.

DIANA S. NATALICIO, OF TEXAS, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2006. (RE-APPOINTMENT)

##### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

MATTIE R. SHARPLESS, OF THE DISTRICT OF COLUMBIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

PETER O. KURZ, OF MARYLAND  
KENNETH J. ROBERTS, OF MISSOURI

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

ALLAN P. MUSTARD, OF WASHINGTON  
HOWARD R. WETZEL, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HERewith:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

NANCY M. MCKAY, OF VIRGINIA

##### DEPARTMENT OF COMMERCE

BRIAN I. MCCLEARY, OF VIRGINIA

##### DEPARTMENT OF STATE

FRANK JOSEPH LEDAHAWSKY, OF WEST VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

MARGARET MCFADDIN HARRITT, OF VIRGINIA  
DIANE M. LEACH, OF VIRGINIA  
CARRIE A. THOMPSON, OF CONNECTICUT  
ANNETTE ELIZABETH TUEBNER, OF VIRGINIA  
ROGER YOCHELSON, OF MASSACHUSETTS

##### DEPARTMENT OF COMMERCE

JAMES F. SULLIVAN, OF FLORIDA  
MARILYN J. TAYLOR, OF TEXAS

##### DEPARTMENT OF STATE

DONNA MICHAELS, OF WASHINGTON  
SUSAN BUTLER NIBLOCK, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA: